



Legislation Details (With Text)

File #: 010618 **Version:** 1

Type: Resolution **Status:** Placed On File

File created: 9/5/2001 **In control:** PUBLIC WORKS COMMITTEE

On agenda: **Final action:** 9/21/2004

Effective date:

Title: Substitute resolution to vacate a portion of the Southerly East-West alley in the block bounded by South Howell Avenue, South Kinnickinnic Avenue, East Lincoln Avenue and East Smith Street, in the 14th Aldermanic District.

Sponsors: CHAIR

Indexes: ALLEY VACATIONS

Attachments: 1. Fiscal Note.doc, 2. CPC letter.pdf

Date	Ver.	Action By	Action	Result	Tally
9/5/2001	0	COMMON COUNCIL	ASSIGNED TO		
9/5/2001		PUBLIC WORKS COMMITTEE	REFERRED TO		
1/17/2002	1	CITY CLERK	DRAFT SUBMITTED		
2/13/2002		PUBLIC WORKS COMMITTEE	REFERRED TO		
2/14/2002	1	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
2/14/2002	1	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
2/14/2002	1	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
2/20/2002	1	PUBLIC WORKS COMMITTEE	HELD TO CALL OF THE CHAIR	Pass	3:0
9/3/2004	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
9/3/2004	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
9/8/2004	0	PUBLIC WORKS COMMITTEE	RECOMMENDED FOR PLACING ON FILE	Pass	5:0
9/21/2004	1	COMMON COUNCIL	PLACED ON FILE	Pass	15:0

010618
SUBSTITUTE 1

THE CHAIR

Substitute resolution to vacate a portion of the Southerly East-West alley in the block bounded by South Howell Avenue, South Kinnickinnic Avenue, East Lincoln Avenue and East Smith Street, in the 14th Aldermanic District.

This substitute resolution vacates the above portion of alley in accordance with vacation proceedings under power granted to the City of Milwaukee by Section 66.297(1), Wisconsin Statutes, and Section 81-308-28, Milwaukee Code of Ordinances. This vacation was requested by Kelly McCormack and Eric Hogan to join their properties on the north and south.

Whereas, It is proposed that a portion of the Southerly East-West alley in the block bounded by South Howell Avenue, South Kinnickinnic Avenue, East Lincoln Avenue and East Smith Street be vacated pursuant to the provisions of Section 66.297, Wisconsin Statutes; and

Whereas, The Department of Public Works has been authorized and directed to prepare a coordinated report estimating all costs and benefit assessments that will be incurred with said vacation; and

Whereas, This proposed vacation has been reviewed in accordance with Section 81-308-28, Milwaukee Code of Ordinances; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee that said portion of alley, as indicated by Exhibit A and bound and described by:

All that part of the Southerly East-West 15 foot wide alley as platted in Block 2 of Uriel B. Smith's Subdivision, a recorded subdivision, in the Northwest 1/4 of Section 9, Township 6 North, Range 22 East, described as follows:

Commencing at the Southwest corner of Lot 22 in said Block 2; thence Easterly, along the south line of Lot 22, to the Southeast corner of Lot 22; thence Southeasterly, along the Southeasterly extension of the easterly line of Lot 22, to a point in the Northerly extension of the east line of Lot 19 in said Block 2; thence Southerly, along said Northerly extension to the Northeast corner of Lot 19; thence Westerly, along the north line of Lots 19, 18 and 17 in said Block 2, to the Northwest corner of Lot 17; thence Northerly to the point of commencement is vacated; and, be it

Further Resolved, That upon deposit of the funds required, the Commissioner of Public Works and/or the City Engineer are authorized to implement actions listed in the coordinated report relating to said vacation; and, be it

Further Resolved, That as provided by Section 80.32(4), Wisconsin Statutes, such vacation shall not terminate the easements and rights incidental thereto acquired by or belonging to any county, town, village or city, or to any utility or person in any underground structures, improvements or services, as enumerated or otherwise existing in said description of land above described, both easements and rights and all rights of entrance, maintenance, construction and repair with reference thereto shall continue as if said portion of alley had not been vacated.

DCD:JRH:vlk

01/17/02